HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.27134 OF 2006

Between:

Andhra Pradesh Civil Liberties Committee,
Rep., by its District Secretary, Visakhapatnam
V.V. Balakrishna S/o. V.V. Ramamurthy,
Aged about 45 years, Occ: Advocate cum Secretary,
R/o. LIG-15, HB Colony, Visakhapatnam,
Visakhapatnam District

…Petitioner

AND

The Station House Officer,
G.K.Veedhi, Police Station,
Visakhapatnam District and five others

...Respondents

: O R D E R :

Counsel for the petitioner : Shri V. Raghunath
Counsel for the respondent Nos.1 to 5: Assistant Government Pleader for Home

Counsel for respondent No.6 : Government Pleader for Medical, Health and Family Welfare

24th July, 2007

Per G.S.SINGHVI, CJ

In this petition filed by Andhra Pradesh Civil Liberties Committee, the following substantive prayer is made:

> "It is therefore prayed that this Hon'ble Court may be pleased to issue an order or orders more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondents herein in not disclosing the identity of the dead bodies in Encounter which took place on 27-12-2006 at Panasapally village G.K. Veedhi (m) Visakhapatnam District as illegal, inhuman, arbitrary and against the violation of Article 21 of Constitution of India and it is further prayed that this Hon'ble court may be pleased to direct the respondent No.3 herein to register the criminal case under Sec. 302 of IPC and other Penal provisions further prayed that this Hon'ble court may be pleased to issue guidelines to the state Government of A.P., for preservation of the dead bodies and conducting the post mortem and handed over the dead bodies and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.
>
> Pending disposal of the above writ petition, it is prayed that the Hon'ble Court may be pleased to direct the Respondent No. 1 and 3 herein to immediately shift the dead body to the King George Hospital, Visakhapatnam and preserve properly and conduct post mortem by Team of Forensic Experts and embombing the dead bodies so as to keep afresh enabling the relatives to identify the dead bodies and hand over the same and pass such other order and orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

At the hearing, Shri V. Raghunath, learned counsel for the petitioner very fairly stated that the issue raised in the writ petition is covered by majority judgment of the Full Bench in Writ Petition No. 4808 of 2005 and batch.

In view of the statement made by the learned counsel, the writ petition is dismissed. The reasons recorded in the majority opinion of the Full Bench judgment shall be read as part of this order.

As a sequel to dismissal of the writ petition, WPMP No. 34875 of 2006 filed by the petitioner for interim relief is disposed of as infructuous.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

July 24, 2007

ks